

DRAFT FOR PUBLIC COMMENT

ESEA FLEXIBILITY
Renewal and Amendment Submission

Dear Assistant Secretary:

I am writing on behalf of the Michigan Department of Education (MDE) to request approval to amend the State’s approved ESEA flexibility request. The requested amendments address the “Next Steps” identified in the MDE’s ESEA Flexibility Part B Monitoring Report. The relevant information, outlined in the *ESEA Flexibility Amendment Submission Process* document, is provided in the table below.

	Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
1.	1.B – Transition to and Implement College- and Career-ready Standards; and 2.G – Build SEA, LEA, and school capacity to improve student learning	The transition to college and career ready standards in Michigan schools is aided through a set of partnerships with Regional Educational Service Agencies (RESAs and ISDs) and professional organizations for educators. Details are provided on the roles for assistance provided by these groups to support schools in implementing standards at the school and classroom level.	Additional information is provided to address how the implementation of career- and college- ready standards in Michigan will be monitored through the school improvement process, support from school improvement facilitators at the regional service agencies, and through the use of data tools such as the Surveys of Enacted Curriculum, which can be used to assess the transition to practices and content that address the career- and college-ready standards. The amendment also addresses the use of the school improvement planning process as a means of documenting practices	Michigan’s ESEA Flexibility Part B Monitoring Report requires that the MDE have a high-quality plan for ensuring that it has a monitoring process in place detailing how MDE will work with ISDs to ensure that LEAs and schools are monitored for implementation of college- and career-ready standards.	The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment: <ul style="list-style-type: none">• Special Education Advisory Committee – April 2, 2014• Committee of Practitioners – April 2, 2014• English Learner Advisory Committee – March 28, 2014• Education Alliance – March 25, 2014• Michigan School Improvement Facilitators Network – January 22, 2014• ISD/ESA Advisory Committee – November 21, 2013

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0581.

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			focusing on implementation of content standards and instructional practices in all Michigan schools.		<ul style="list-style-type: none"> Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p> <p>(Summary of Public Comments received will be inserted here prior to submission to USED.)</p>
2.	2.C – Reward Schools	<p>Michigan’s approved ESEA Flexibility Request includes the following activities to be carried out in recognition of Reward Schools:</p> <ul style="list-style-type: none"> Identification in Annual Education Reports Media recognition Presentations at conferences Certificates, banners, and documentaries Networking opportunities to assist lower performing schools Social media networking Colleges initiative Schoolwide pilot Philanthropic support Visits by dignitaries 	<p>Due to issues of capacity and available resources, the MDE proposes to focus on the following activities:</p> <ul style="list-style-type: none"> Identification in Annual Education Reports Media recognition Presentations at conferences Certificates, banners Networking opportunities to assist lower performing schools Social media networking 	<p>Michigan’s ESEA Flexibility Part B Monitoring Report requires that the MDE accurately reflect how it is rewarding schools.</p>	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> Special Education Advisory Committee – April 2, 2014 Committee of Practitioners – April 2, 2014 English Learner Advisory Committee – March 28, 2014 Education Alliance – March 25, 2014 Michigan School Improvement Facilitators Network – January 22, 2014 ISD/ESA Advisory Committee – November 21, 2013 Michigan Association of State and Federal Program Specialists – September 27, 2013

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					<p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p> <p>(Summary of Public Comments received will be inserted here prior to submission to USED.)</p>
3.	2.E – Focus Schools	<p>District Improvement Facilitators (DIF) provided support to Title I Focus Schools and their central office: Monitoring and Evaluating the Focus Schools’ Improvement Plans and district-level benchmarks providing a structure of differentiated supports to all students, focusing on the lowest performing student subgroups.</p>	<p>MDE will ask the District Improvement Facilitators to document that the Teaching and Learning Priorities reflect the learning needs of the bottom 30% and that these learning needs are included in the school improvement plan. Then, the monitoring and evaluating by the district, with the support of the DIF, actually is supportive the needs of the bottom 30%.</p> <p>For non-Title I Focus Schools, MDE will do a document review of the Teaching and Learning priorities identified by the school, determine if they are supported by the student achievement data of the bottom 30% and reflected in the School Improvement Plan and make onsite visits to a minimum of 5% of non-Title I</p>	<p>Michigan’s ESEA Flexibility Part B Monitoring Report requires that the MDE develop a high-quality plan to ensure that each focus school implements specific interventions that target the needs of the lowest achieving students at the school in the 2013-14 school year and beyond, including a process for monitoring the implementation of these interventions at each focus school.</p>	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> • Special Education Advisory Committee – April 2, 2014 • Committee of Practitioners – April 2, 2014 • English Learner Advisory Committee – March 28, 2014 • Education Alliance – March 25, 2014 • Michigan School Improvement Facilitators Network – January 22, 2014 • ISD/ESA Advisory Committee – November 21, 2013 • Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p>

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			Focus Schools to meet with the School Improvement Team to confirm the documentation.		(Summary of Public Comments received will be inserted here prior to submission to USED.)
4.	2.B – Set ambitious but achievable annual measurable objectives; and Assurance 14	Waiver language states Michigan will display and include graduation rates for all subgroups and that the graduation component is worth up to 16% of overall points. Assurance language states Michigan will report accountability information on its state report card.	MDE will calculate and display a cohort graduation rate on the state report cards (Annual Education Report (AER)) for the bottom 30% subgroup.	Michigan’s ESEA Flexibility Part B Monitoring Report requires that the MDE submit a template demonstrating how its reports cards based on data from the 2013-14 school year will fully comply with USED’s current report card guidance requiring graduation rate data for combined subgroups.	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> • Special Education Advisory Committee – April 2, 2014 • Committee of Practitioners – April 2, 2014 • English Learner Advisory Committee – March 28, 2014 • Education Alliance – March 25, 2014 • Michigan School Improvement Facilitators Network – January 22, 2014 • ISD/ESA Advisory Committee – November 21, 2013 • Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p> <p>(Summary of Public Comments received will be inserted here prior to submission to USED.)</p>

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5.	3.B – Ensure LEAs implement teacher and principal evaluation and support systems	The approved proposal identified the pilot and review process by the Michigan Council on Educator Effectiveness (MCEE), which was appointed by policy makers to develop recommendations for design and implementation of a new educator and administrator evaluation system. This process was to lead to revised legislation and implementation of an educator evaluation system that would include student growth as a component of individual educator evaluation, plus the possible use of value added modeling, student learning objectives, and other data to inform the evaluation process. The system would also incorporate a mechanism for using professional practice evaluations, including structured walk-throughs and observation of classes to determine an annual effectiveness rating, and generate a plan for individual improvement based on the review and student data.	The amendment includes documentation of the efforts to date to complete the MCEE recommendations based upon the pilot studies and analysis of outcomes of the review of the student growth and observation tools. The amendment outlines proposed budgets and legislation to implement this system statewide based upon updated assessment decisions by MDE and Michigan's legislature. Due to the ongoing efforts to update MCL 380.1249, which provided the original outline for educator evaluation for districts prior to submission of Michigan's ESEA Flexibility Waiver, this amendment outlines the efforts to address each of the identified elements, as well as the support mechanisms for schools, districts, and service agencies to implement the educator evaluation system statewide, and to generate supports for individual educators and administrators based upon these outcomes.	Michigan's ESEA Flexibility Part B Monitoring Report requires that the MDE provide a description of the process to seek legislative change so that all LEAs throughout Michigan are required to incorporate student growth*, as defined by ESEA Flexibility, as a significant factor in teacher evaluation systems at the beginning of the 2014-15 school year.	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> • Special Education Advisory Committee – April 2, 2014 • Committee of Practitioners – April 2, 2014 • English Learner Advisory Committee – March 28, 2014 • Education Alliance – March 25, 2014 • Michigan School Improvement Facilitators Network – January 22, 2014 • ISD/ESA Advisory Committee – November 21, 2013 • Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p> <p>(Summary of Public Comments received will be inserted here prior to submission to USED.)</p>

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7.	3.B – Ensure LEAs implement teacher and principal evaluation and support systems; and 2.G – Build SEA, LEA, and school capacity to improve student learning	The approved proposal identified the pilot and review process by the Michigan Council on Educator Effectiveness (MCEE), which was appointed by policy makers to develop recommendations for design and implementation of a new educator and administrator evaluation system. This process was to lead to revised legislation and implementation of an educator evaluation system that would include student growth as a component of individual educator evaluation, plus the possible use of value added modeling, student learning objectives, and other data to inform the evaluation process. The system would also incorporate a mechanism for using professional practice evaluations, including structured walk-throughs and observation of classes to determine an annual effectiveness rating, and generate a plan for individual improvement based on the review and student data.	The amendment includes documentation of the efforts to date to complete the MCEE recommendations based upon the pilot studies and analysis of outcomes of the review of the student growth and observation tools. The amendment outlines proposed budgets and legislation to implement this system statewide based upon updated assessment decisions by MDE and Michigan’s legislature. Due to the ongoing efforts to update MCL 380.1249, which provided the original outline for educator evaluation for districts prior to submission of Michigan’s ESEA Flexibility Waiver, this amendment outlines the efforts to address each of the identified elements, as well as the support mechanisms for schools, districts, and service agencies to implement the educator evaluation system statewide, and to generate supports for individual educators and administrators based upon these outcomes.	Michigan’s ESEA Flexibility Part B Monitoring Report requires that the MDE provide a description of the process to seek legislative change to ensure MDE gains authority to monitor LEA-level implementation of teacher evaluation systems and can ensure that LEAs full implement evaluation and support systems consistent with ESEA flexibility requirements in the 2014-15 school year, including the incorporation of student growth as a significant factor.	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> • Special Education Advisory Committee – April 2, 2014 • Committee of Practitioners – April 2, 2014 • English Learner Advisory Committee – March 28, 2014 • Education Alliance – March 25, 2014 • Michigan School Improvement Facilitators Network – January 22, 2014 • ISD/ESA Advisory Committee – November 21, 2013 • Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p> <p>(Summary of Public Comments received will be inserted here prior to submission to USED.)</p>

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9.	3.B – Ensure LEAs implement teacher and principal evaluation and support systems	Michigan’s ESEA Flexibility Request outlines the process, timeline, and considerations for the teacher and administrator evaluation supports as considered at the time of the original submission.	<p>MDE will provide evaluation and support systems based upon the proposed legislative changes that were informed by the MCEE recommendations, and framed to meet the needs of Michigan’s ESEA Flexibility Request.</p> <p>MDE will provide technical assistance to LEAs and ISDs to support implementation of all aspects of the teacher and administrator evaluation system.</p>	Michigan’s ESEA Flexibility Part B Monitoring Report requires that the MDE provide a high-quality plan to provide technical assistance on teacher and principal evaluation systems in the 2013-2014 school year and beyond.	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> • Special Education Advisory Committee – April 2, 2014 • Committee of Practitioners – April 2, 2014 • English Learner Advisory Committee – March 28, 2014 • Education Alliance – March 25, 2014 • Michigan School Improvement Facilitators Network – January 22, 2014 • ISD/ESA Advisory Committee – November 21, 2013 • Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p> <p>(Summary of Public Comments received will be inserted here prior to submission to USED.)</p>

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10.	2.D – Priority Schools	20% of the district's Title I budget must be set-aside for Priority Schools for the school year in which they are identified (Year 1).	MDE proposes changes in Priority School set-asides at the district level to begin in Year 2 and be capped in a manner similar to that for Focus Schools.	Districts have already made plans for their Title I funding for ALL Title I schools – usually by July 1 when the Consolidated App may be submitted. Priority Schools are not identified until August and at that time, the districts need to pull back funds from non-identified Title I Schools to meet the 20% set-aside obligation. This is a burden to the district and detrimental to the programming of non-Priority Title I schools. Beginning the required set-asides in Year 2 and capping them, similar to the Focus School formula, would allow districts to plan a year in advance and not constitute such a burden.	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> • Special Education Advisory Committee – April 2, 2014 • Committee of Practitioners – April 2, 2014 • English Learner Advisory Committee – March 28, 2014 • Education Alliance – March 25, 2014 • Michigan School Improvement Facilitators Network – January 22, 2014 • ISD/ESA Advisory Committee – November 21, 2013 • Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been supportive of this proposed amendment.</p> <p>(Summary of Public Comments received will be inserted here prior to submission to USED.)</p>

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11.	2.B – Set ambitious but achievable annual measurable objectives	<p>Accountability Scorecards identify five possible overall colors: green, lime, yellow, orange, and red.</p> <p>Audit rules for determining the overall Scorecard color require that the presence of one red cell change the overall color to yellow.</p>	<p>MDE proposes a sixth color for new schools and/or schools without proficiency data.</p> <p>MDE proposes to change the audit rules for determining the overall scorecard color by removing the red cell audit rule for the bottom 30% subgroup.</p>	<p>This amendment will allow for better distribution across all five colors and does not lump new schools without proficiency data in with schools attaining green status due to high performance.</p>	<p>The Michigan Department of Education (MDE) sent an email to all LEAs and ISDs/ESAs on April 10, 2014 and posted a public memo on its website inviting comment on this proposed amendment through April 18, 2014. The MDE convened and/or attended the following meetings specifically to discuss and solicit feedback on its approved ESEA Flexibility Request, the proposed extension request, and/or the current proposed amendment:</p> <ul style="list-style-type: none"> • Special Education Advisory Committee – April 2, 2014 • Committee of Practitioners – April 2, 2014 • English Learner Advisory Committee – March 28, 2014 • Education Alliance – March 25, 2014 • Michigan School Improvement Facilitators Network – January 22, 2014 • ISD/ESA Advisory Committee – November 21, 2013 • Michigan Association of State and Federal Program Specialists – September 27, 2013 <p>Comments received from stakeholders via these meetings have been generally supportive of this proposed amendment. A few concerns have been raised regarding the unintended consequences of these changes. In response, the MDE has provided additional clarification of the intent and impact in a separate document published in coordination with Public Comment.</p>

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Attached to this letter is a redlined version of the pages from our approved ESEA flexibility request that would be impacted with strikeouts and additions to demonstrate how the request would change with approval of the proposed amendment[s]. Please contact Abbie Groff-Blaszak at groff-blaszaka@michigan.gov or by phone at 517-373-8572 if you have any questions regarding this [these] proposed amendment[s].

The MDE acknowledges that the U.S. Department of Education may request supplementary information to inform consideration of this request.

Mike Flanagan, Chief State School Officer

Date